

### **REMARKS**

Reconsideration of the above-identified application in view of the amendments above and the remarks following is respectfully requested.

The drawings are objected to under 37 CFR 1.83(a) for not showing every feature of the invention specified in the claims. Additional drawings in the form of attached figures 2 and 3 are included which are believed to overcome the above rejection. Amendments to the description have been made to provide brief explanations of the drawings without adding subject matter to the application.

Claims 1, 12, 14, and 20 are amended to overcome the informalities listed by the Examiner in the section 5 of the Office Action.

Claims 1, 3, 5-20 and 36-50 have been rejected under 35 U.S.C. § 102(e) as being clearly anticipated by Walker et al. US 6,418,415.

In the present amendment, claim 1 has been rewritten to include the following limitation: "said conditions including a first price and a quantity, said database server system being configured to interface sellers to said group such as to enable tendering by at least one seller of at least said quantity to said group, thereby to enable individual purchasers to benefit from aggregated buying power".

The limitation specifies that the sellers are interfaced to the group to enable tendering by the sellers *to the group* thereby to enable individual purchasers to benefit from aggregated buying power. The price is a property of the group.

By contrast, Walker requires each purchaser to make a conditional purchase offer CPO which includes a price. An aggregation of purchasers may be dynamically formed but the price does not become a property of the group. On the contrary, the price remains part of the individual buyer's offer. The aggregation is used to

determine an average price on the basis of which an individual CPO is either accepted into the group (if his offer is higher) or rejected (if his offer is lower). The purchaser buys according to his own offer so that different purchasers pay different amounts. Thus the aggregation of Walker fails to benefit the individual purchaser because it does not empower him with bargaining power against which the seller must tender, and therefore does not fulfill the purpose of the present invention, which is to empower the purchaser by giving him strength of numbers.

By making the purchase price a property of the group, as in the present invention, the individual purchaser benefits from the strength of numbers of the group as a whole. The seller or supplier is forced to tender to the group as a whole, as specified in the claim and the group automatically concentrates on the best offer.

It is thus believed that claim 1 is both novel and inventive over Walker et al.

As specified in the subsidiary claims, there are a number of ways in which the tendering may be carried out. One is to specify a number of purchases for the group. The suppliers tender for say a hundred units. If the group manages to get offers to buy a hundred the purchase goes ahead with the lowest tender to the group. In another embodiment the suppliers each provide a quantity dependent price list. If the group gets  $x$  purchase offers by the closing deadline the group is offered the best price for  $x$  units from all of the price lists. In a third embodiment, suppliers simply tender  $X$  units for a price of  $Y$ . If the group manages to achieve offers to purchase  $X$  units then the transaction proceeds.

As further specified in the subsidiary claims, purchasers looking for different products may be aggregated together into groups for tendering purposes simply because it is expedient to tender for such products together. Thus a supplier may be in a position for some reason to supply televisions and video players together for a very

reasonable price. The system is able to take advantage of such a situation by amalgamating groups for each of the products so as to obtain a suitable tender.

Furthermore, groups may be defined so that products are tightly specified, model X from company Y, or products may be loosely specified, e.g. cars according to engine size, and anything in between.

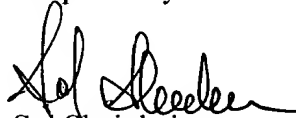
New claims 91 to 103 have been added to further characterize the invention. Claim 97 is an independent claim which includes all of the limitations newly added to claim 1. It is therefore believed to be allowable over Walker for all of the reasons for which claim 1 is allowable.

All dependent claims are believed to be allowable as being dependent on an allowable main claim.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned **"Version with markings to show changes made."**

In view of the above amendments and remarks it is respectfully submitted that all the pending claims are all now in condition for allowance. Prompt notice of allowance is respectfully and earnestly solicited.

Respectfully submitted,



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**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

**In the Specification:**

New paragraph has been added after paragraph beginning at page 5, line 19, as follows:

-- FIG. 2 is a black box diagram showing in greater detail the system of the present embodiments located between purchasers and suppliers.

FIG. 3 is a black box diagram illustrating a preferred structure for the database of FIG. 2. --

After paragraph beginning at page 7, line 4, please add the following:

-- Reference is now made to Fig. 2, which is a simplified black box diagram illustrating in greater detail the system of the present embodiments as located between suppliers and purchasers. Parts that are the same as in previous figures are given the same reference numerals and are not described again except to the extent necessary for an understanding of the present figure. Database server system 12 provides an interface 20 between supplier clients 18 and user clients 14. The interface is supported by a database 22 which will be described in greater detail below. Purchasers 24 and suppliers 26 interact with each other according to the various embodiments described herein via the interface 20.

Reference is now made to Fig. 3, which is a simplified illustration showing a preferred configuration of database 22 for supporting interface 20 during the course of trading activity. The database 22 forms a group 30 of the parties and products involved in the given activity. The group 30 typically includes the purchasers involved 32, the product designations 34 or combinations of products and their

designations or specifications defining products or manufacturers and the like, price information 36, and information about other relevant numbers 38. The relevant numbers may for example be numbers of users required to trigger the trade, numbers required to reduce a price, numbers of products, times relevant to the trade and the like. --

**In the Claims:**

Claim 1 has been amended as follows:

--1 (Amended). A system for facilitating aggregate ~~shopping~~purchasing, the system comprising:

(a) a database server system being for maintaining at least one ~~shoppers~~purchasers group, said at least one ~~shoppers-purchasers~~ group being characterized by a ~~designated-product~~predefined product designation and conditions for purchasing said ~~designated~~a product in accordance with said designation, said conditions including a first price and a quantity, said database server system being configured to interface sellers to said group such as to enable tendering by at least one seller of at least said quantity to said group, thereby to enable individual purchasers to benefit from aggregated buying power; and

(b) a plurality of user clients, being at a disposal of a plurality of users and being capable of communicating with said database server system, each of said plurality of user clients being for enabling a respective user thereof to join said at least one ~~shoppers-purchasers~~ group, such that a user of a respective one of said plurality of user clients is entitled to purchase said designated product under said conditions for purchasing said designated product upon joining said at least one ~~shoppers-purchasers~~ group. --

Claim 3 has been amended as follows:

--3 (Amended). The system of claim 1, wherein said at least one ~~shoppers~~ purchasers group is established by an operator of said database server system. --

Claim 5 has been amended as follows:

--5 (Amended). The system of claim 1, ~~wherein configured such that~~ said plurality of user clients communicate with said database server system via a communication mode selected from the group consisting of dialup communication and local area network communication. --

Claim 6 has been amended as follows:

--6 (Amended). The system of claim 1, wherein said at least one ~~shoppers~~ purchasers group is maintained by said database server system for a predetermined period of time. --

Claim 7 has been amended as follows:

--7 (Amended). The system of claim 6, wherein said user can join said at least one ~~shoppers~~ purchasers group only during a second period of time expiring prior to said predetermined period of time. --

Claim 8 has been amended as follows:

--8 (Amended). The system of claim 6, wherein a user is entitled to purchase said designated product following termination of said ~~predetermined~~ second time period. --

Claim 9 has been amended as follows:

--9 (Amended). The system of claim 6, wherein said conditions for purchasing said designated product are determined as a function of the number of members within said at least one ~~shoppers~~ purchasers group at ~~any time point either~~

~~during said predetermined time period, or following termination of said predetermined time period~~the termination of said second time period. --

Claim 10 has been amended as follows:

--10 (Amended). The system of claim 1, wherein said database server system stores and provides on demand to each of said user clients information pertaining to said at least one ~~shoppers~~purchasers group. --

Claim 11 has been amended as follows:

--11 (Amended). The system of claim 10, wherein information pertaining to said at least one ~~shoppers~~purchasers group includes information on said designated product and to said conditions for purchasing said designated product. --

Claim 12 has been amended as follows:

--12 (Amended). The system of claim 10, wherein information pertaining to said at least one ~~shoppers~~purchasers group includes ~~information~~n information on a number of members of said at least one ~~shoppers~~purchasers group. --

Claim 13 has been amended as follows:

--13 (Amended). The system of claim 12, wherein information pertaining to said at least one ~~shoppers~~purchasers group includes information on each member of said members of said at least one ~~shoppers~~purchasers group. --

Claim 14 has been amended as follows:

--14 (Amended). The system of claim 1, ~~whersaid~~wherein said conditions for purchasing said designated product include said first price of said designated products, an updated price following said tendering if any and terms of payment. --

Claim 20 has been amended as follows:

--20 (Amended). The system of claim 1, wherein each of said user clients is a computer ~~operati~~operating a dedicated software program. --

Claim 36 has been amended as follows:

--36 (Amended). The system of claim 3, wherein said at least one ~~shoppers~~ purchasers group is maintained by said database server system for a predetermined period of time. --

Claim 37 has been amended as follows:

--37 (Amended). The system of claim 36, wherein said user of said plurality of users can join said at least one ~~shoppers~~ purchasers group only during a second time period expiring prior to said predetermined period of time. --

Claim 38 has been amended as follows:

--38 (Amended). The system of claim 36, wherein said user of said plurality of users is entitled to purchase said designated product following termination of said ~~predetermined~~ second time period. --

Claim 40 has been amended as follows:

--40 (Amended). The system of claim 3, wherein said database server system stores and provides on demand information pertaining to said at least one ~~shoppers~~ purchasers group. --

Claim 41 has been amended as follows:

--41 (Amended). The system of claim 40, wherein information pertaining to said at least one ~~shoppers~~ purchasers group includes information on said designated product and to said conditions for purchasing said designated product. --



Claim 42 has been amended as follows:

--42 (Amended). The system of claim 40, wherein information pertaining to said at least one ~~shoppers-purchasers~~ group includes information on a number of members of said at least one ~~shoppers-purchasers~~ group at any given time point. --

Claim 43 has been amended as follows:

--43 (Amended). The system of claim 42, wherein information pertaining to said at least one ~~shoppers-purchasers~~ group includes information on each member of said members of said at least one ~~shoppers-purchasers~~ group. --

Claim 44 has been amended as follows:

--44 (Amended). The system of claim 3, wherein said conditions for purchasing said designated product include a maximum price of said designated products, a reduced price following tendering if any, and terms of payment. --

New Claims 91 – 103 have been added as follows:

91. (NEW) The system of claim 1, wherein said tendering is carried out in advance of setting up said purchasing group by issuing a schedule of prices for given quantity ranges.

92. (NEW) The system of claim 1, wherein said tendering is carried out at a predetermined time, provided said minimum quantity has been reached.

93. (NEW) The system of claim 1, wherein said tendering is carried out in advance of setting up said purchasing group by accepting for said group a seller offering a minimum price for said purchasing number.

94. (NEW) The system of claim 3, wherein said tendering is carried out in advance of setting up said purchasing group by issuing a schedule of prices for given quantity ranges.

95. (NEW) The system of claim 3, wherein said tendering is carried out at a predetermined time, provided said minimum purchasing number has been reached.

96. (NEW) The system of claim 3, wherein said tendering is carried out in advance of setting up said purchasing group by accepting for said group a seller offering a minimum price for said purchasing number.

97. (NEW) A system for facilitating aggregate purchasing, the system comprising a server, the server comprising:

a database configured to maintain at least one purchasers group, said at least one purchasers group being characterized by a predefined product designation and conditions for purchasing said designated product, said conditions including a first price and a minimum purchase quantity, and an interface for interactively interfacing purchasers and sellers to said database,

said database server system being configured, with said interface, to interface sellers to said group such as to enable tendering by at least one seller of at least said quantity to said group, thereby to enable individual purchasers to benefit from aggregated buying power.

98. (NEW) The system of claim 97, wherein said tendering is carried out in advance of setting up said purchasing group by issuing a schedule of prices for given quantity ranges.

99. (NEW) The system of claim 97, wherein said tendering is carried out at a predetermined time, provided said minimum purchasing number has been reached.

100. (NEW) The system of claim 97, wherein said tendering is carried out in advance of setting up said purchasing group by accepting for said group a seller offering a minimum price for said purchasing number.

101. (NEW) The system of claim 47, wherein said specification comprises a plurality of alternate products.

102. (NEW) The system of claim 3, wherein said product designation is an aggregation of products.

103. (NEW) The system of claim 1, wherein said quantity is at least two.